

# UNITED STATES DISTRICT COURT

Northern

DISTRICT OF

New York

Jason J. Purcell

## JUDGMENT IN A CIVIL CASE

V.

Case Number: 1:07-cv-834

CSX Transportation, Inc.

- X **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- x **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

### IT IS ORDERED AND ADJUDGED

that on June 19, 2009 the jury found contributory negligence, finding the Plaintiff 32% liable and the Defendant 68 % liable, for an injury sustained by the Plaintiff and awarded damages as follows:

Lost Wages: \$4,895.00

Lost Future Wages: \$4,020.00

Pain and Suffering from date of accident to present: \$303,585.00

Future Pain and Suffering: \$0

After reduction for comparative negligence: \$100,000.00

On July 10, 2009 the Plaintiff filed a motion for a new trial.

Pursuant to a memorandum-decision and order, issued June 21, 2010, the Court found that the jury verdict was not irreconcilable and not against the weight of the evidence, denying Plaintiff's motion for a new trial.

All of the above pursuant to a jury verdict rendered on June 19, 2009 and an order issued by the Hon. Frederick J. Scullin, Jr. on June 21, 2010.

June 21, 2010

Date

Lawrence K. Baerman

Clerk

(By) Deputy Clerk

s/Barbara J. Woodford